

IN THE UNITED STATES SUPREME COURT

No.

UNITED STATES

Plaintiff-Appellee

JORGE DIAZ-CASTRO

Petitioner-Appellant

v.

COMMONWEALTH OF PUERTO RICO; PUERTO RICO POLICE DEPARTMENT

Defendants-Appellees

MOTION FOR LEAVE TO APPEAR IN FORMA PAUPERIS
TO FILE A PETITION FOR A WRIT OF CERTIORARI

TO THE HONORABLE STEPHEN BRAYER, ASSOCIATE JUSTICE:

1. Jorge Diaz Castro, as Applicant for an extension of time to file a Petition for a Writ of Certiorari in the instant case, moves for leave to appear *in forma pauperis* pursuant to 28 U.S.C. § 1915, and to Rule No. 39 of the Rules of the Supreme Court of the United States. Movant is unable to make full prepayment of fees or to give security therefore; and believes that he is entitled to Petition for a Writ of Certiorari; and have not divested myself of any property, monies, or any items of value for the purpose of avoiding payment of fees.
2. *In forma pauperis* status was granted for the appeal at the Honorable First Circuit Court of Appeals, upon application to the Honorable U.S. District Court for Puerto Rico.
3. Since this motion accompanies an application for extension of the time to file, only two copies of the motion are being hereby included.

Continued...

IN THE UNITED STATES SUPREME COURT
MOTION FOR LEAVE TO APPEAR IN FORMA PAUPERIS


No.

Page No. 2.

FOR ALL THE REASONS STATED ABOVE, Movant requests that the Honorable United States Supreme Court, and the Honorable Associate Justice Stephen Brayer, grant *in forma pauperis* status; to file a Petition for a Writ of Certiorari.

WHEREFORE, Applicant Jorge Díaz-Castro hereby respectfully moves this Honorable United States Supreme Court, and the Honorable Associate Justice Stephen Brayer, grant *in forma pauperis* status; to file a Petition for a Writ of Certiorari.

RESPECTFULLY SUBMITTED, in San Juan, P.R., on June 2nd, 2014.



Jorge Diaz-Castro, PRO SE
P.O. Box #9021288
San Juan, P.R. 00902-1288
Email: transcripciones@mail.com

IN THE UNITED STATES SUPREME COURT

No.

UNITED STATES

Plaintiff-Appellee

JORGE DIAZ-CASTRO

Petitioner-Appellant

v.

COMMONWEALTH OF PUERTO RICO; PUERTO RICO POLICE DEPARTMENT

Defendants-Appellees

CERTIFICATE OF SERVICE

Applicant certifies that on Monday, June 2, 2014, he will file a "Notice of Application Filed" electronically at the Honorable First Circuit Court of Appeals with the Clerk of the Court which, on information and belief, shall automatically notify counsel of record which are CM/ECF system participants at the corresponding email address, and which pursuant to Rule 29 (3) of the Rules of the Supreme Court of the United States, constitutes the equivalent service.

In addition, since the United States is a Party, a copy shall be mailed on June 5, 2014, to the Solicitor General of the United States, Room 5614, Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001, pursuant to Rule 29 (4)(a) of the Rules of the Supreme Court of the United States.



Jorge Diaz-Castro, PRO SE
P.O. Box #9021288
San Juan, P.R. 00902-1288
Email: transcripciones@mail.com

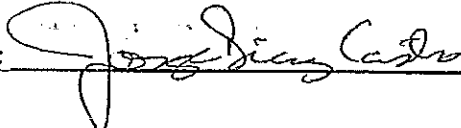
**AFFIDAVIT ACCOMPANYING MOTION
FOR PERMISSION TO APPEAL IN FORMAT PAUPERIS**

United States of America, Plaintiff,

District Court No. 2012-CV-02039Appeal No. No. 13-2079, No. 13-2306

v.

Commonwealth of Puerto Rico, Defendant;
Jorge Díaz-Castro, Proposed Intervenor

Affidavit in Support of Motion	Instructions
<p>I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)</p>	<p>Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.</p>
<p>Signed: </p>	<p>Date: <u>June 2nd, 2014.</u></p>

My issues on appeal are:

Please see relevant motion(s).

1. *For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.*

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$0.00	\$n/a	\$0.00	\$n/a
Self-employment	\$0.00	\$n/a	\$0.00	\$n/a
Income from real property (such as rental income)	\$0.00	\$n/a	\$0.00	\$n/a
Interest and dividends	\$0.00	\$n/a	\$0.00	\$n/a
Gifts	\$0.00	\$n/a	\$0.00	\$n/a
Alimony	\$0.00	\$n/a	\$0.00	\$n/a
Child support	\$0.00	\$n/a	\$0.00	\$n/a
Retirement (such as social security, pensions, annuities, insurance)	\$0.00	\$n/a	\$0.00	\$n/a
Disability (such as social security, insurance payments)	\$0.00	\$n/a	\$0.00	\$n/a
Unemployment payments	\$0.00	\$n/a	\$0.00	\$n/a

Public-assistance (such as welfare)	\$112.00	\$n/a	\$112.00	\$n/a
Other (specify):	\$0.00	\$n/a	\$0.00	\$n/a
Total monthly income:	\$112	\$0	\$112	\$0

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Unemployed since 12/2002.	n/a	n/a	\$n/a
---	---	---	\$---
---	---	---	\$---

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Single. n/a	n/a	n/a	\$n/a
---	---	---	\$---
---	---	---	\$---

4. How much cash do you and your spouse have? \$10.00 (ten U.S. dollars)

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
No bank accounts at present.	n/a	\$n/a	\$n/a
---	---	\$---	\$---
---	---	\$---	\$---

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home	Other real estate	Motor vehicle #1
(Value) \$No home.	(Value) \$No other real estate.	(Value) \$No automobile.
		Make and year: n/a
		Model: n/a
		Registration #: n/a

Motor vehicle #2	Other assets	Other assets
(Value) \$n/a	(Value) \$No other major asset.	(Value) \$n/a
Make and year: n/a		
Model: n/a		
Registration #: n/a		

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
None.	\$n/a	\$n/a
---	\$---	\$---
---	\$---	\$---
---	\$---	\$---

7. State the persons who rely on you or your spouse for support.

Name [or, if under 18, initials only]	Relationship	Age
I am only responsible for myself, financially.	Self.	51
n/a	n/a	n/a
---	---	---

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$0.00	\$n/a
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$0.00	\$n/a
Home maintenance (repairs and upkeep)	\$0.00	\$n/a
Food	\$102.00	\$n/a
Clothing	\$0.00	\$n/a
Laundry and dry-cleaning	\$0.00	\$n/a
Medical and dental expenses	\$0.00	\$n/a
Transportation (not including motor vehicle payments)	\$10.00	\$n/a
Recreation, entertainment, newspapers, magazines, etc.	\$0.00	\$n/a
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renters:	\$0.00	\$n/a
Life:	\$0.00	\$n/a
Health:	\$0.00	\$n/a
Motor vehicle:	\$0.00	\$n/a
Other:	\$0.00	\$n/a
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$0.00	\$n/a

Installment payments		
Motor vehicle:	\$0.00	\$ n/a
Credit card (name):	\$0.00	\$ n/a
Department store (name):	\$0.00	\$ n/a
Other:	\$0.00	\$ n/a
Alimony, maintenance, and support paid to others	\$0.00	\$ n/a
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$0.00	\$ n/a
Other (specify):	\$0.00	\$ n/a
Total monthly expenses:	\$112	\$ 0

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit?

☐ Yes ☒ No If yes, how much? _____

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

As stated elsewhere, I am handicapped; in need of medical attention; and therefore, unfortunately, am not able to seek gainful employment.

12. State the city and state of your legal residence: San Juan, Puerto Rico

Your daytime phone number: (787) 767-7355 (message)

Your age: 51 Your years of schooling: bachelor's degree

Last four digits of your social-security number: 6825

IN THE UNITED STATES SUPREME COURT

No.

UNITED STATES

Plaintiff-Appellee

JORGE DIAZ-CASTRO

Petitioner-Appellant

v.

COMMONWEALTH OF PUERTO RICO; PUERTO RICO POLICE DEPARTMENT

Defendants-Appellees

APPLICATION FOR EXTENSION OF TIME TO
FILE A PETITION FOR A WRIT OF CERTIORARI

TO THE HONORABLE STEPHEN BRAYER, ASSOCIATE JUSTICE:

I. INTRODUCTION:

Jorge Diaz-Castro, PRO SE Applicant in the instant case, hereby requests an extension of time according to Sup. Ct. R. 13(5) of sixty (60) days to complete the filing of a Petition for a Writ of Certiorari at the Honorable United States Supreme Court. The instant petition to extend time is directed to the Honorable Stephen Brayer, Associate Justice, according to the allotment order dated September 28th, 2010.

II. FACTUAL AND PROCEDURAL BACKGROUND FOR RELIEF:

On January 17th, 2014, Judgment was entered in U.S.C.A. Case(s) No. 13-2079 and 13-2306 at the Honorable First Circuit Court of Appeals. Applicant filed a timely "Petition for Panel Rehearing and/or Rehearing En Banc" on March 3rd, 2014, which was denied on March 13th, 2014. The mandate issued on April 14th, 2014.

Continued...

**IN THE UNITED STATES SUPREME COURT
APPLICATION FOR EXTENSION OF TIME TO FILE PETITION**

No.

Page No. 2.

At all times, Applicant has been representing himself PRO SE; both at the Honorable United States District Court for Puerto Rico; and at the Honorable First Circuit Court of Appeals. In addition, because of Applicant's poor economic situation, the cases at the Honorable First Circuit Court of Appeals were certified *in forma pauperis*, upon application to the Honorable United States District Court for the District of Puerto Rico. An application to proceed *in forma pauperis* at the Honorable United States Supreme Court is being filed separately, but simultaneously, with the filing of the instant application.

III. JURISDICTION:

Rule 13(5) of the Rules of the Supreme Court of the United States states, in relevant part:

For good cause, a Justice may extend the time to file a petition for a writ of certiorari for a period not exceeding 60 days. An application to extend the time to file shall set out the basis for jurisdiction in this Court, identify the judgment sought to be reviewed, include a copy of the opinion and any order respecting rehearing, and set out specific reasons why an extension of time is justified. The application must be filed with the Clerk at least 10 days before the date the petition is due.... For the time and manner of presenting the application, see Rules 21, 22, 30, and 33.2.

Also, Rule 13(3) of the Rules of the Supreme Court of the United States states, in relevant part:

The time to file a petition for a writ of certiorari runs from the date of entry of the judgment or order sought to be reviewed, and not from the issuance date of the mandate (or its equivalent under local practice).

Continued...

**IN THE UNITED STATES SUPREME COURT
APPLICATION FOR EXTENSION OF TIME TO FILE PETITION**

No.

Page No. 3.

Rule 13(1) of the Rules of the Supreme Court of the United States states,
in relevant part:

Unless otherwise provided by law, a petition for a writ of certiorari to review a judgment in any case, civil or criminal, entered by a ... United States court of appeals ... is timely when it is filed with the Clerk of this Court within 90 days after entry of the judgment.

Furthermore, Rule 30(3) of the Rules of the Supreme Court of the United States states, in relevant part:

An application to extend the time to file petition for Writ of Certiorari...shall be made to an individual Justice and presented and served on all other parties as provided by Rule 22.

Hence, the term to file a Petition for a Writ of Certiorari will expire on June 11th, 2014.

The instant application for extension of the time to file is timely.

IV. DISCUSSION OF THE MERITS OF THE RELIEF REQUESTED:

In September of 2005, Applicant accidentally severed a tendon in the index finger of his right hand, which became ossified. Two medical reports (in Spanish) support this statement. The first is by Dr. Isamaris Veguillas, family physician; the second is by Dr. Jose A. Santiago, hand surgeon. They are to be included in the record, as Appendix I-A and I-B, respectively. In addition, in September of 2009 Applicant was the victim of a hit-and-run driver who impacted his right knee. In support of this statement, Applicant is including a copy of his Puerto Rico Automobile Accident Compensation Administration (A.C.A.A., in Spanish) card; to be included in the record as Appendix II.

Continued...

**IN THE UNITED STATES SUPREME COURT
APPLICATION FOR EXTENSION OF TIME TO FILE PETITION**

No.

Page No. 4.

The report by Dr. Veguillas states, in Section I-E, on page 3: "Patient has difficulty writing, typing, or carrying heavy objects with his right hand; specifically with the second finger of that hand [right index finger]." The report by Dr. Santiago states, in Section X, on page 5: "Patient is going to need surgery and a period of therapy and rehabilitation that may take from 6 to 12 years." Because of this condition, it is difficult for Applicant to type legal documents; and he needs the additional time to do so.

Furthermore, it is Applicant's belief that he has been denied medical treatment in reprisal for his attempt to vindicate the rights of PRPD police officers by the A.C.A.A. Applicant can walk, but very slowly, and only for relatively short distances. He has experienced difficulty in renewing his health insurance, despite various attempts in good faith to do so. See Appendix III, a copy of Applicant's expired health insurance card.

The Honorable Justice Scalia has noted that an applicant has to show "good cause" to have an application to extend time approved. Penry v. Tex., 515 U.S. 1304, 132 L. Ed. 2d 887 (1995). See also Madden v. Texas, 498 U.S. 1301, 112 L. Ed. 2d 1026, 111 S. Ct. 902 (1991). Although Applicant has been aware of the situation for over a year, there is very little he can do to remedy the situation, at present.

Applicant did not have an opportunity to file an Appellate Brief at the Honorable First Circuit Court of Appeals; largely due to the continued interruptions he was subject to while drafting the legal documents he presented. Applicant would welcome the opportunity to present in his case a full brief, if given the opportunity.

Continued...

**IN THE UNITED STATES SUPREME COURT
APPLICATION FOR EXTENSION OF TIME TO FILE PETITION**

No.


Page No! 5.

V. CONCLUSION AND SUMMARY:

For all the reasons stated above, Applicant requests that the Honorable United States Supreme Court, and the Honorable Associate Justice Stephen Brayer, grant the additional term of sixty (60) days to file the petition for a Writ of Certiorari; until August 10th, 2014.

WHEREFORE, Applicant Jorge Díaz-Castro hereby respectfully moves this Honorable United States Supreme Court, and the Honorable Associate Justice Stephen Brayer, grant the sixty (60) day extension of time requested to file the Petition for a Writ of Certiorari.

RESPECTFULLY SUBMITTED, in San Juan, P.R., on June 2nd, 2014.



Jorge Díaz-Castro, PRO SE
P.O. Box #9021288
San Juan, P.R. 00902-1288
Email: transcripciones@mail.com

IN THE UNITED STATES SUPREME COURT

No.

UNITED STATES

Plaintiff-Appellee

JORGE DIAZ-CASTRO

Petitioner-Appellant

v.

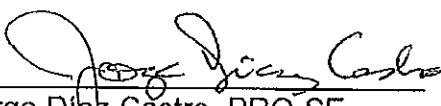
COMMONWEALTH OF PUERTO RICO; PUERTO RICO POLICE DEPARTMENT

Defendants-Appellees

CERTIFICATE OF SERVICE

Applicant certifies that on Monday, June 2, 2014, he will file a "Notice of Application Filed" electronically at the Honorable First Circuit Court of Appeals with the Clerk of the Court which, on information and belief, shall automatically notify counsel of record which are CM/ECF system participants at the corresponding email address, and which pursuant to Rule 29 (3) of the Rules of the Supreme Court of the United States, constitutes the equivalent service.

In addition, since the United States is a Party, a copy shall be mailed on June 5, 2014, to the Solicitor General of the United States, Room 5614, Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001, pursuant to Rule 29 (4)(a) of the Rules of the Supreme Court of the United States.


Jorge Diaz-Castro, PRO SE
P.O. Box #9021288
San Juan, P.R. 00902-1288
Email: transcripciones@mail.com

Appendix I-A

Report by
Dr. Isamaris Veguila
Family Physician

GOBIERNO DE PUERTO RICO
DEPARTAMENTO DE LA FAMILIA
ADMINISTRACION DE REHABILITACION VOCACIONAL
SAN JUAN, PUERTO RICO

INFORME MEDICO

De volver

L PRIMERA PARTE:

Nombre: Jorge Diaz Castro
Dirección: Calle Rev. Fco. Colón #60, Rio Piedras, PR 00925
Seguro Social: 263-68-6825 Sexo: M Edad: 45 Teléfono: 787-751-6128

A. Condición Primaria

Diagnóstico: (favor indicar clasificación, según ICD9 y clasificación terapéutica y funcional; si aplica) Fracture 2nd finger at level of tu
metacarpal implantation done. R thumb

Tratamiento actual: (incluya medicamentos indicados) NO

Frecuencia: NIA

Efectos secundarios: (si alguno) NIA

Fecha inicio de tratamiento: NIA

Resultados: Laboratorios: NIA Rayos X: NO Otros: NO

Hospitalización: SI NO ¿Cuántas? 1 Fecha última hospitalización: NO

Razón: NO

Institución donde se hospitalizó: NIA

Recomendaciones: NO

NOMBRE DEL CONSUMIDOR: Jorge Diaz Castro NOMBRE DEL MÉDICO: Dr. Mario Vazquez

B. Condición Secundaria (si aplica).

Diagnóstico: (favor indicar clasificación, según ICD9 y clasificación terapéutica y funcional; si aplica) W10.02 Fracture

Tratamiento actual: (incluya medicamentos indicados) NO

Frecuencia: N/A

Efectos secundarios: (si alguno) N/A

Fecha inicio de tratamiento: N/A

Resultados: Laboratorios: N/A Rayos X: Otros:

Hospitalización: SI NO ¿Cuántas? Fecha última hospitalización:

Razón:

Institución donde se hospitalizó: N/A

Recomendaciones:

C. Otras Condiciones (si aplica)

Diagnóstico: (favor indicar clasificación, según ICD9 y clasificación terapéutica y funcional; si aplica) NO

Tratamiento actual: (incluya medicamentos indicados) N/A

Frecuencia: N/A

Efectos secundarios: (si alguno) N/A

Fecha inicio de tratamiento: N/A

Resultados: Laboratorios: N/A Rayos X: Otros:

Hospitalización: SI NO ¿Cuántas? Fecha última hospitalización:

Razón: N/A

Institución donde se hospitalizó:

Recomendaciones:

HOMBRE DEL CONSUMIDOR: Jorge Riaz Castro HOMBRE DEL MÉDICO: _____

D. Historial de Adicción

Drogas: SI ☐ NO ☒ Alcohol: SI ☐ NO ☒

¿Ha recibido tratamiento? SI ☐ NO ☒ ¿Dónde? _____

Especifique por cuál: N/A

Recomendaciones: N/A

E. Basándose en el historial clínico, antes señalado, indique: pronóstico, limitaciones, habilidad y capacidad para trabajar:

Dificultad para escribir, leer o
oír, hablar o ver (en la parte de arriba)
que interfieren con el uso de esta mano.

Nombre del Médico: Dr. Mario I. Siqueira Seguro Social: _____

Especialidad: G.O. Lic. 161531

Dirección: CDT Río Piedras

Teléfono: CDT Río Piedras

Firma del Médico

Fecha

* Nota:

Esta es la 2da. visita del paciente
a nuestra institución y de la primera
que atendido por este colega (Dr. Siqueira)
en esta ocasión por mí. Antes
estaba en CDT Ponce - San Juan.
Por lo tanto, la he encontrado -
suprimiendo.

Dr. 161531

IV. CONDICIONES AMBIENTALES			
	No se afecta factor vocacional	LIMITACIONES	
		Paciente no puede exponerse a condiciones ambientales	El paciente puede exponerse a condiciones ambientales hasta 2 1/2 horas
1. calor extremo	<input checked="" type="checkbox"/>		
2. condiciones atmosféricas	<input checked="" type="checkbox"/>		
3. exposición a choque eléctrico	<input checked="" type="checkbox"/>		
4. exposición a radiación	<input checked="" type="checkbox"/>		
5. frío extremo	<input checked="" type="checkbox"/>		
6. mojado o inundado	<input checked="" type="checkbox"/>		
7. nivel de intensidad de sonido	<input checked="" type="checkbox"/>		
8. otras condiciones	<input checked="" type="checkbox"/>		
	No se afecta factor vocacional	El paciente puede exponerse a condiciones ambientales	LIMITACIONES
			El paciente no puede exponerse a condiciones ambientales hasta 2 1/2 horas
			El paciente no puede exponerse a condiciones ambientales hasta 5 1/2 horas
	No se afecta factor vocacional	El paciente no puede exponerse a condiciones ambientales	LIMITACIONES
			El paciente puede exponerse a condiciones ambientales hasta 2 1/2 horas
			El paciente puede exponerse a condiciones ambientales hasta 5 1/2 horas
V. TEMPERAMENTOS			
1. comunicar	<input checked="" type="checkbox"/>		
2. dirigir, controlar, planificar	<input checked="" type="checkbox"/>		
3. hacer juicio y tomar decisiones	<input checked="" type="checkbox"/>		
4. persistir	<input checked="" type="checkbox"/>		
5. realizar tareas rutinarias	<input checked="" type="checkbox"/>		
6. realizar tareas variadas	<input checked="" type="checkbox"/>		
7. relaciones interpersonales	<input checked="" type="checkbox"/>		

11/8/07, N. Magaña

Appendix I-B

Report by

Dr. José A. Santiago

Hand Surgeon

Gobierno de Puerto Rico
Departamento de la Familia
ADMINISTRACIÓN DE REHABILITACIÓN VOCACIONAL
San Juan, Puerto Rico

SOLICITUD DE EVALUACIÓN MÉDICA

☐ Fisiatra☐ Neurólogo☒ Ortopeda

1. Datos del Caso

DÍAZ CASTRO, Jorge (de Jesús) 45. M soltero
(Apellidos) (Nombre) (Inicial) (Edad) (Sexo) (Estado Civil)

Calle Ber. Fco. Colón #60 Río Piedras, PR 00925
(Dirección) (Pueblo) (Estado)

Resumen del Caso: El cliente refiere que en agosto del 2005 sufrió una cortadura en el dedo índice de su mano derecha al abrir una lata de pasta de cuajada. En el proceso se fracturó la coyuntura interfalangea proximal, y se cerró el tendón.

Objetivo Vocacional: El cliente, interesa re-adiestrarse en alguna ocupación que haga uso de la computadora, que utilice su educación.

Ocupación usual: transcriptor médico

Descripción del empleo anterior: transcripción de informes médicos en computadora

¿El consumidor está bajo tratamiento médico?

Si. El cliente está interesado en operarse (de ser necesario), con el propósito de recuperar movilidad en el dedo índice de la mano derecha.

Fecha

Firma (Consejero)

-2-

I. Historial enfocado al impedimento físico:

¿Cuándo y cómo se produjo el impedimento? Se cayó haciendo una
lucha en matel en septiembre 2015

En caso de dolor crónico musculoesquelético:

- | | | |
|-------------------|--------------------|-------------|
| a. Localización | b. Frecuencia | c. Duración |
| d. Cómo se maneja | e. Cómo se empeora | |

@ Dolor intermitente de codo izquierdo @ hombro izquierdo

Medicamento o equipo asistivo utilizado:

Cómo el impedimento interfiere con:

- | | | |
|-------------------------------|------------------------|-----------|
| a. Labores personales (ADL) | b. Labores en el hogar | c. Empleo |
| d. Relaciones interpersonales | e. Lado diestro | |

Mucho tiempo le cuesta escribir con mi mano

Historial de condiciones médicas relacionadas al impedimento:

- | | | |
|---------------------------|----------------------------------|-----------------------------|
| a. Vejiga neurogénica | b. UTI | c. Espasticidad |
| d. Úlceras de presión | e. Contracturas - <u>de codo</u> | f. Hueso heterotrópico |
| g. Cond. Cardiovasculares | i. Condiciones pulmonares | j. Cond. gastrointestinales |
| k. Intestino neuragénico | l. Condiciones mentales | o. H.I.V. |
| m. Historial sexual | (Depresión ansiedad) | |
| | n. Drogas y alcohol | |

II. Historial de condiciones médicas no relacionadas al impedimento

Enfermedades sistémicas

ninguna

-3-

Alergias None

Medicamentos NO

III. Historial Pasado

Accidentes y tratamientos NO

Operaciones Appendix - 1987

IV. Historial Ocupacional

Ocupación antes del accidente Transcription & secret med.

Nivel de educación Bachelor's Degree

Barreras estructurales del hogar y empleo

Objetivo Vocacional Advocate for the poor & needy

V. Repaso de Sistemas

VI. Resultados de estudios recientes

None on file

-4-

VII. Examen físico

Status mental WNL
 Orientación XX
 Memoria buena
 Agresividad NO
 Nivel de atención WNL
 Comunicación buena
 Cabeza y cuello WNL
 Campos visuales, Visión (con y sin corrección) en campos
 Extremidades y Tronco sin dolor ni compromiso
 RON 1
 "Muscle Test" WNL
 Atrofia NO
 Sensorial WNL
 "Pinprick" \ Vibración \ Posición WNL
 DTR's WNL
 Reflejos patológicos NO
 Maniobras musculoesqueletales (Tinel's, Adson, SRL, etc.)
 Patrón de marcha
 Largo de pierna
 Piel
 Deformidades
 Técnicas de transferencias
 Postura de pie y sentado
 Patrones de movimiento: Voluntario e Involuntario

VIII. Resumen

Paciente de 45 años de edad con dolor a su
 lado lateral derecho con características de
 dolor de tensión y no disminuye con
 reposo ni flexión por lo que se requiere cirugía

IX. Diagnósticos (ICD-9)

Dolor crónico de hombro derecho
 embudo de hombro en flexión

-5-

X. Recomendaciones:

Laboratorios para descartar

Radiografías para descartar

EMG +NCV para descartar

Tratamiento

- a. medicamentos
- b. equipos asistivo prótesis ✓
- c. ortosis

Evaluaciones

Pre-vocacional ("workstation") ✓

Servicios (de acuerdo a las necesidades y metas)

PT. # terapias ✓

OT. : funcional, ADL, "Homemaking", Perceptual \ Pre-vocacional ✓

Terapia del habla

Sicólogo

Urólogo

Neurosiquiatria (Screening) \ TBI (staff presentation)

Referidos a otros especialistas y médicos de la salud

Admisión

Alta

Seguimiento

Educación en salud y Rehabilitación

Paciente va a recibir
cirugía y con periodos
de descanso y rehabilitación
por la forma de
la 12 años

gms.

11/7/07
Fecha

Ugarte 9414
Firma & # Licencia

Appendix II:
A.C.A.A.
Card.

ACAA			Estado Libre Asociado de Puerto Rico	
ADMINISTRACIÓN DE COMPENSACIONES POR ACCIDENTES DE AUTOMÓVILES				
Identificación del Lesionado				
Apellido Paterno	Apellido Materno	Nombre		
10-251028-01	CONTEA	JESUS		
Núm. Reclamaciones	Fecha Accidente			
3007-11-621-2934	9/21/09			
Núm. Lic. Conducir y/o ID Foto	Fecha Expiración			
3007-11-621-2934	9/20/11			
<input checked="" type="checkbox"/> A. 2 Años <input type="checkbox"/> B. Extendida		Firma		
Clave Cubierta		Jorge Riccio Casta		
ACAA 700-111 Rev. 12-2007				

Appendix III:

Health Insurance Card.

TRIPLE-S SALUD		CC-1000	
DIAZ CASTRO, JORGE		MPI-0080018961847	
8001896184700		PCP - ISAMARIE VEGUILLA	
Effective Date	02/01/2013	Generalist	\$0
Issue Date	02/27/2013	Specialist	\$0
GMP	\$00	Sub-Specialist	\$0
Contract	Individual	Hospital	\$0
Relation	Principal	Emergency	\$0 / \$12.00 / \$5.00
AIN/PCN	00-503-AD	Laboratory	\$0
Código BS	973	Prescription	\$0
Coverages	AD12 DC12	Prescription	\$1.13
	HB12 MS12	Prescription	RX4403
		Prescription	RX5201

TRIPLE-S SALUD		www.ssspr.com	
<p>Esta tarjeta no podrá ser utilizada bajo ninguna circunstancia por una persona que no sea el asegurado identificado. La posesión de esta tarjeta no garantiza la elegibilidad a los beneficios. THIS CARD MAY NOT BE USED BY A PERSON OTHER THAN THE IDENTIFIED ENROLLEE. Possession of this card does not guarantee eligibility for benefits.</p>			
<p>Ayuda a detectar el fraude en los registros. Informe cualquier delito o servicio sospechoso en su seguro de salud a nosotros. En la de fraude y abuso. Favor de llamar al 787.774.6660. Help detect insurance fraud. Report any suspicious charges or services in your health benefits to our fraud and abuse hotline. Please call 787.774.6660.</p>		<p>Tele Mi Salud 1.800.981.1352 (Línea de Enfermería y Servicio al Cliente)</p>	
		<p>TTY: 1.855.295.4040</p>	
		<p>APS Healthcare 1.888.695.5416 (Servicio al Cliente)</p>	
		<p>TTY: 787.641.0785</p>	
		<p>Triple-S Salud, Inc. PO Box 363628 San Juan, PR 00936-3628 An independent member of the Blue Cross and Blue Shield Association</p>	

**United States Court of Appeals
For the First Circuit**

Appendix IV:
Judgment

Nos. 13-2079; 13-2306

UNITED STATES,

Plaintiff, Appellee,

v.

COMMONWEALTH OF PUERTO RICO, ET AL.,

Defendants,

JORGE DIAZ-CASTRO,

Movant, Appellant.

Lynch, Chief Judge,
Torruella and Kayatta, Circuit Judges.

JUDGMENT

Entered: January 17, 2014

Movant-appellant Jorge Diaz-Castro has appealed pro se from the summary denial of his post-judgment motion to intervene. Plaintiff-appellee, the United States, has moved for summary disposition. We agree with the government that summary affirmance is appropriate as "it clearly appears that no substantial question is presented." 1st Cir. R. 27.0(c).

A. Denial of Motion to Intervene As of Right

"The district court's denial of a motion for intervention as of right lays the foundation for an immediate appeal." Public Service Co. of New Hampshire v. Patch, 136 F.3d 197, 204 (1st Cir. 1998). Review is for abuse of discretion. Id. "[A] would-be intervenor must demonstrate that: (i) its motion is timely; (ii) it has an interest relating to the property or transaction that forms the foundation of the ongoing action; (iii) the disposition of the action threatens to impair or impede its ability to protect this interest; and (iv) no existing party adequately represents its interests. Each of

these requirements must be fulfilled; failure to satisfy any one of them defeats intervention as of right." Ungar v. Arafat, 634 F.3d 46, 50-51 (1st Cir. 2011).¹

To satisfy the Rule's second requirement, "the interest must be direct and 'significantly protectable.' An interest that is too contingent or speculative -- let alone an interest that is wholly nonexistent -- cannot furnish a basis for intervention as of right." Id. at 51-52.

To the extent that Diaz-Castro relies upon his own interests as a lobbyist in support of legislation concerning the police officers, those interests do not "bear a sufficiently close relationship to the dispute between the original litigants." Ungar, 634 F.3d at 51. Neither the complaint nor the Agreement for the Sustainable Reform of the Puerto Rico Police Department directly concerns the subject of the legislation for which Diaz-Castro claims to have lobbied. The concern that the Settlement Agreement will distract the parties from focusing on that legislation constitutes, at best, an indirect and speculative relationship.

To the extent that Diaz-Castro seeks to intervene to represent the interest of a third party (the police officers), he fails to satisfy the requirements for asserting such *jus tertii* claims. For a litigant to bring an action on behalf of a third party, three criteria must be satisfied: "The litigant must have suffered an 'injury in fact,' thus giving him or her a 'sufficiently concrete interest' in the outcome of the issue in dispute; the litigant must have a close relation to the third party, and there must exist some hindrance to the third party's ability to protect his or her own interests." Powers v. Ohio, 499 U.S. 400, 410-411 (1991). While Diaz-Castro expresses concern that the interests of the police officers are not adequately represented, he has not identified an obstacle or hindrance to the officers' asserting their own rights. Nor has he identified an injury in fact that he has suffered in relation to the suit.

Diaz-Castro may not successfully rely upon the police officers' interests in intervening in the suit to establish his right to intervene. He has alleged only that he has lobbied in support of legislation concerning the police officers. That is not sufficient to establish a right to intervene as a representative whose "function [it is] to represent the relevant members' interests in matters of this kind." Cotter v. Massachusetts Ass'n of Minority Law Enforcement Officers, 219 F.3d 31, 36 (1st Cir. 2000); compare United States v. City of Los Angeles, 288 F.3d 391, 399-400 (9th Cir. 2002) (holding that the Police League, which served as designated bargaining unit for police officers, had "a protectable interest" in the merits of the §14141 action and the remedy sought by the United States).

There is no substantial argument that the district court abused its discretion in denying Diaz-Castro's motion to intervene as a matter of right.

¹ Because Diaz-Castro clearly cannot satisfy the second requirement, it is unnecessary to discuss the other requirements. But, this court has noted that "courts have historically viewed post-judgment intervention with a jaundiced eye in situations where the applicant had a reasonable basis for knowing, before final judgment, that its [alleged] interest was at risk." Banco Popular de Puerto Rico v. Greenblatt, 964 F.2d 1227, 1231 (1st Cir. 1992).

B. Permissive Intervention

"Permissive intervention under Rule 24(b)(2) . . . gives the judge discretion to allow intervention 'when an applicant's claim or defense and the main action have a question of law or fact in common.'" Daggett v. Commission on Governmental Ethics and Election Practices, 172 F.3d 104, 112-113 (1st Cir. 1999).

The main action involves allegations "that Defendants engaged in a pattern or practice of unconstitutional and unlawful activity in violation of the First Amendment, the Fourth Amendment, the Fourteenth Amendment, and Section 14141." The parties' Agreement "addresses the necessary changes to the policies, procedures, training, internal and external oversight, disciplinary systems, and information and data integrity mechanisms to ensure the delivery of effective and constitutional police services that protect and guarantee the civil rights of all residents of Puerto Rico." Diaz-Castro has not shown how his claims related to legislation concerning salary increases and a referendum on participation in the federal social security system involve a question of law or fact at issue in the main action.

The district court's denial of Diaz-Castro's motion to intervene is affirmed. See 1st Cir. R. 27.0(c). Appellant's remaining pending motions are denied as moot.

By the Court:

/s/ Margaret Carter, Clerk.

cc:

Dennis Dimsey
Nelson Perez-Sosa
Christopher Wang
Jorge Diaz-Castro
Beatriz Annexy-Guevara
Carlos Del Valle Cruz
Frank Insermi-Milam
Gregorio Igartua-de-la-Rosa
Josue Gonzalez-Ortiz

Case: 13-2079 Document: 00116660751 Page: 1 Date Filed: 03/13/2014 Entry ID: 5807658

**United States Court of Appeals
For the First Circuit**

Nos. 13-2079; 13-2306

UNITED STATES,

Plaintiff, Appellee,

v.

COMMONWEALTH OF PUERTO RICO, ET AL.,

Defendants,

JORGE DIAZ-CASTRO,

Movant, Appellant.

Lynch, Chief Judge,
Torruella, Howard, Thompson and Kayatta,
Circuit Judges.

ORDER OF COURT

Entered: March 13, 2014

Currently pending before this court are Diaz-Castro's "En Banc Petition for Writ of Mandamus," "Emergency Supplementary Motion . . . Requesting the Right to be Heard in Oral Argument," and his "Petition for Panel Rehearing and/or Rehearing En Banc," and Memorandum of law in support. We construe the "En Banc Petition for Writ of Mandamus" as supplementing his petition for rehearing and rehearing en banc of our Judgment dated January 17, 2014, summarily affirming the denial of his motion for intervention. To the extent that Diaz-Castro is objecting to the summary disposition of his appeal prior to his having been provided with transcripts of district court proceedings, he has not established that rehearing or en banc review is warranted on that basis.

Even were we to construe that filing as a petition for writ of mandamus, we would not find that Diaz-Castro has satisfied the standard for obtaining mandamus relief. See In re Justices of Superior Court Dept. of Massachusetts Trial Court, 218 F.3d 11, 15 (1st Cir. 2000).

Appendix I:
Order in
denial of
Rehearing.

Case: 13-2079 Document: 00116660751 Page: 2 Date Filed: 03/13/2014 Entry ID: 5807658

Nor has petitioner's "Petition for Panel Rehearing and/or Rehearing En Banc" established that there are any relevant points of law or fact that this court overlooked or misapprehended, that our Judgment dated January 17, 2014 conflicts with a decision of the United States Supreme Court or of the First Circuit, or that his case "involves one or more questions of exceptional importance." Fed.R.App.P. 35(b)(1)(B).

The petition for rehearing and for rehearing en banc, having been denied by the panel of judges who decided the case, and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and petition for rehearing en banc be denied. The request "to be heard in oral argument" is also denied.

By the Court:

/s/ Margaret Carter, Clerk.

cc:

Dennis Dimsey

Nelso Perez-Sosa

Christopher Wang

Jorge Diaz-Castro

Beatriz Annexy-Guevara

Carlos Del Valle Cruz

Frank Inserni Milam

Gregoria Igartua-de-la-Rosa

Josue Gonzalez-Ortiz

=====

RIO PIEDRAS STATION
SAN JUAN, Puerto Rico
009259988
4284630303-0095
06/02/2014 (787)759-9266 03:47:27 PM

=====

Sales Receipt			
Product	Sale Unit	Final	
Description	Qty	Price	Price

68 -- WASHINGTON DC 20543			\$5.60
Zone-7			
Priority Mail 3-Day			
Flat Rate Env			
10.10 oz.			
Expected Delivery: Thu 06/05/14			
USPS Tracking #:			
9114911123066154262537			
Includes \$50 insurance			

Issue PVI: \$5.60

Total: \$5.60

Paid by:
Cash \$5.60

EB For tracking or inquiries go to
USPS.com or call 1-800-222-1811.

-- Save this receipt as evidence of
insurance. For information on filing
an insurance claim go to
usps.com/ship/file-domestic-claims.htm

Order stamps at usps.com/shop or
call 1-800-Stamp24. Go to
usps.com/clicknship to print
shipping labels with postage. For
other information call
1-800-ASK-USPS.

Get your mail when and where you
want it with a secure Post Office
Box. Sign up for a box online at
usps.com/poboxes.

Bill#:1000503173980
Clerk:06

All sales final on stamps and postage
Refunds for guaranteed services only
Thank you for your business

HELP US SERVE YOU BETTER

Go to:
<https://postalexperience.com/Pos>

TELL US ABOUT YOUR RECENT
POSTAL EXPERIENCE

YOUR OPINION COUNTS

Customer Copy

Appendix VII:

U.S.P.S.

Receipt No. 1

for Priority

Mail Delivery

to the Honorable
U.S. Supreme Court

Appendix VII,
 U.S.P.S.
 Receipt No. 2
 for First
 Class Delivery
 to the Solicitor
 General of the U.S.

OLD SAN JUAN STATION
 SAN JUAN, Puerto Rico
 C09019338
 4284530032-0038
 06/05/2014 (787)724-2256 11:39:04 AM

Product Description	Sale Unit	Qty	Price	Final Price
---------------------	-----------	-----	-------	-------------

Utility Mailer	1	\$1.19		\$1.19
WASHINGTON DC 20530 Zone-7				\$2.24
First-Class Mail Large Env				8.70 oz.
Expected Delivery: Mon 06/05/14				

Issue PFI: \$2.24

Domestic Certificate of Mailing	1	\$1.30		\$1.30
---------------------------------	---	--------	--	--------

Total: \$4.73

Paid by:
 Cash \$10.00
 Change Due: -\$5.27

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at usps.com/poboxes.

Bill #: 1000202411384
 Clerk: 13

All sales final on stamps and postage
 Refunds for guaranteed services only

Thank you for your business

HELP US SERVE YOU BETTER

Go to:
<https://postalexperience.com/Pos>

TELL US ABOUT YOUR RECENT
 POSTAL EXPERIENCE

YOUR OPINION COUNTS

Customer Copy

